

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

The Estate of Yaron Ungar, et al.,

*Plaintiffs-Judgment  
Creditors,*

v.

Orascom Telecom Holding S.A.E.,

*Defendant-Garnishee.*

Civ. Action No. 07 CV 2572  
(CM) (LMS)

**NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE, that upon the annexed memorandum of law and exhibits, Orascom Telecom Holding S.A.E. ("Orascom"), by and through undersigned counsel, hereby waives service of process and respectfully moves this Court for an order dismissing Plaintiffs' Complaint in its entirety with prejudice (i) pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure for lack of personal jurisdiction over Orascom; (ii) pursuant to Rule 12(b)(1) for lack of subject-matter jurisdiction; (iii) for lack of territorial jurisdiction over the assets at issue; and (iv) pursuant to Rule 12(b)(6) for failure to state a claim for turnover pursuant to N.Y. C.P.L.R. § 5227.

Dated: May 30, 2007

Respectfully submitted,

**WHITE & CASE LLP**

By: /s/Christopher M. Curran  
Christopher M. Curran (CC-4779)  
Nicole Erb (NE-7104)  
701 Thirteenth Street, NW  
Washington, DC 20005  
Tel: 202-626-3600  
Fax: 202-639-9355

*Counsel for  
Orascom Telecom Holding S.A.E.*